

ARTICLE # 02
AMENDMENT # 1

Hampton Zoning Ordinance Amendment

Article I – General, Section 1.6 Definitions

Article II – Districts, Section 2.8C & 2.8F Town Center District (Permitted Uses)

~~Strikethrough~~ = Proposed Deletion

Underline = Proposed Addition

Highlighting = All Proposed Changes

Section 1.6 - Definitions

Use Change: Any use of a residential or non-residential nature which is proposed to be changed to a dissimilar non-residential use but is in conformance with the Use Regulations provided in this Ordinance. ~~In the Town Center Historic District, all changes of building occupancy involving any use of a non-residential nature shall require Use Change Approval from the Planning Board (see Article II, Section 2.8C) regardless of similarity or not to the former use.~~ Any use **change** which, in the opinion of the Building Inspector or the Town Planner, requires Planning Board approval in order to safeguard the health, welfare, convenience and safety of Hampton’s citizens and recreational guests shall also require Use Change Approval. Use Changes are also subject to the applicable provisions of the Site Plan Review and Subdivision Regulations. (Amended March 2016, 2020)

Section 2.8 - Town Center District

C. Permitted Uses in Town Center-Historic District

(Amended 2015, 2018)

The following uses are permitted in the Town Center-Historic District.

1. Apartments up to two units per building above non-residential use;
2. Convenience stores;
3. Pharmacies;
4. Cafés (including cyber-cafés);
5. Art galleries;
6. Grocery or neighborhood convenience stores, excluding the sale of motor vehicle fuels;
7. Business and professional offices;
8. Retail sales and services (see Note 4);
9. Banks;
10. Personal services establishments (as defined in Section 1.6);
11. Restaurants, except the use of drive-up windows;
12. Bed & Breakfasts establishments;
13. Hotels;
14. Outdoor seating associated with restaurants or cafés subject to applicable licensing/ permitting requirements;
15. Artist's residential and/or work space establishment;
16. Day care establishments for no more than three children; and
17. Conditional uses as set forth below.

~~nature in this District shall require Use Change approval by the Hampton Planning Board in accordance with Section 1.5 of the Zoning Ordinance.~~ 3. Any use change which, in the opinion of the Building Inspector or the Town Planner, requires Planning Board approval in order to safeguard the health, welfare, convenience and safety of Hampton's citizens and recreational guests shall require Use Change Approval.

4. The following retail uses are prohibited in this District:
 - a. Martial Arts Weapons, as defined in Section 3.46
 - b. Firearms and ammunition sales
 - c. A business selling accessories intended for tobacco use, where more than 15% of the total display, shelf, rack, table, stand, or floor area is devoted to such accessories.

Notes:

1. Any use not specifically enumerated above is deemed to be prohibited in this District.
2. Permitted uses may require Site Plan and/or Subdivision approval by the Hampton Planning Board in accordance with Section 1.5 of the Zoning Ordinance.

~~3. All changes of building occupancy involving any use of a non residential~~

D. Conditional Uses in the Town Center-Historic District

The following uses are classified as conditional uses and shall adhere to the dimensional and design standards of this Section. These uses may be permitted by the Planning Board if they comply with the Conditional Use Standards of Subsection E.

1. Multi-family dwellings above non-residential use;
2. Family day care; and
3. Group day care.

E. Conditional Use Standards

The Planning Board may issue a conditional use permit approving uses in Subsection D provided the Planning Board determines the following conditions are met.

1. The use is specifically authorized in this ordinance as a conditional use;
2. If completed as proposed by the applicant, the development in its proposed location will comply with all requirements of this Article, and with the specific conditions or standards established in this ordinance for the particular use;
3. The use will not materially endanger the public health, safety, or welfare;
4. The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located;
5. Architecture and landscape design shall further the purposes set forth in Subsection A above and comply with the Design Standards in the Town of Hampton Subdivision and Site Plan Review Regulations;
6. The use will provide an environment to ensure both vehicular and pedestrian safety;
7. The use will be compatible with the natural, environmental, and historic resources of the town; and
8. The use will be adequately serviced by necessary public utilities and by community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use, and will not necessitate excessive public expenditures to provide facilities and services with sufficient additional capacity.

F. Permitted Uses in the Town Center-South and Town Center-North Districts

(Amended 2015, 2018, 2020)

The following uses are permitted in Town Center-North and Town Center-South Districts:

1. Two-family dwellings
2. Bed & Breakfast establishments
3. Retail Sales
4. Lodging houses
5. Multi-family dwellings
6. Private schools
7. Outdoor recreation facilities
8. Farm buildings
9. Public Utility Buildings
10. Accessory Uses
11. Banks
12. Professional Offices
13. Theaters
14. Health Clubs
15. Personal services establishments (as defined in Section 1.6)
16. Restaurants
17. Warehouses
18. Domestic pet grooming shops
19. Motor vehicle repair & filling stations
20. Parking facilities
21. Manufacturing incidental to a business
22. Health care facilities
23. Day care for 3 or less children
24. Dwelling unit with business
25. Family and Group day care
26. Auto Dealers

Notes:

1. Any use not specifically enumerated above is deemed to be prohibited in this District.
2. Permitted uses may require Site Plan and/or Subdivision approval by the Hampton Planning Board in accordance with Section 1.5 of the Zoning Ordinance.
3. Any use change which, in the opinion of the Building Inspector or the Town Planner, requires Planning Board approval in order to safeguard the health, welfare, convenience and safety of Hampton's citizens and recreational guests shall require Use Change Approval.